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2131-CC00033 - LINSEY SAUERBREI V REGIS CORPORATION (E-CASE)


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01/26/2021 [Corporation Served](#)

Document ID - 21-SMCC-65; Served To - REGIS CORPORATION; Server - SO ST LOUIS COUNTY-CLAYTON; Served Date - 22-JAN-21; Served Time - 09:00:00; Service Type - Sheriff Department; Reason Description - Served; Service Text - by leaving a copy with B Love Intake Specialist

 [Notice of Service](#)
01/11/2021 [Summons Issued-Circuit](#)

Document ID: 21-SMCC-65, for REGIS CORPORATION. Summons saved and attached in PDF format for Attorney to retrieve from secure case.net./JJ

01/08/2021 [Filing Info Sheet eFiling](#)

Filed By: WILLIAM R ROBB

 [Pet Filed in Circuit Ct](#)

Plt's Petition for Damages. /JJ

Filed By: WILLIAM R ROBB

On Behalf Of: LINSEY SAUERBREI

 [Judge Assigned](#)

IN THE CIRCUIT COURT OF GREENE COUNTY, MISSOURI

LINSEY SAUERBREI,

Plaintiff,

v.

Case No. _____

REGIS CORPORATION d/b/a SMART
STYLE HAIR SALONS,

*Serve at: RA National Registered
Agents, INC.,
120 South Central Ave.,
Clayton, MO 63105*

Defendant.

PETITION FOR DAMAGES

Comes now Plaintiff Linsey Sauerbrei (“Plaintiff Sauerbrei”), by and through her attorneys of record, Aleshire, Robb & Rapp, and for her claim against Defendant Smart Style Salon (“Defendant Salon”), states to the Court as follows:

ALLEGATIONS COMMON TO ALL COUNTS

1. That Plaintiff Sauerbrei is an individual living and residing in Springfield, Greene County, Missouri.

2. That Defendant Salon is a business entity established for the purpose of cutting and styling hair with its principal place of business located inside Wal-Mart#179 in Springfield, Greene County, Missouri at 3250 W. Sunshine Street, Springfield, MO 65807. Service of process may be affected by serving the registered agent of Regis Corporation at National Registered Agents, Inc., 120 South Central Avenue, Clayton, MO 63105.

3. That this action arises in tort law and is based on injuries Plaintiff Sauerbrei received when she was dropped by an employee of Defendant Salon as she was being transferred

from her wheelchair to the styling chair. Accordingly, jurisdiction and venue are proper with this Court.

4. Plaintiff Sauerbrei is a paraplegic. When she was 15 years old, she was in a motor vehicle collision that resulted in a severe T7 injury.

5. Because of her paraplegia, Plaintiff Sauerbrei uses a wheelchair.

6. On or about June 3, 2019, Plaintiff Sauerbrei went to Defendant Salon to have her hair styled.

7. Defendant Salon is located in a Wal-Mart Supercenter and was convenient for Plaintiff Sauerbrei to use its services.

8. This was the first time in years Plaintiff Sauerbrei was a customer of Defendant Salon.

9. While she put her name on the customer waiting list, her boyfriend, Chase Amador, decided to pick up some items from the Wal-Mart store.

10. There were two employees of Defendant Salon working that day, the manager and the stylist who cut Plaintiff Sauerbrei's hair. All of the actions and omissions of the salon stylist arose in the course and scope of her employment with Defendant Salon and therefore imputed to Defendant Salon and it is liable for any negligence.

11. Chase was still shopping when the stylist told Plaintiff Sauerbrei she was ready to cut her hair.

12. The stylist told Plaintiff Sauerbrei to transfer from her wheelchair to the salon stylist chair.

13. Plaintiff Sauerbrei stated it would be safer if her hair was styled while remaining in her wheelchair.

14. The stylist refused and said she could not cut Plaintiff Sauerbrei's hair while Plaintiff Sauerbrei was in the wheelchair.

15. The stylist insisted Plaintiff Sauerbrei must transfer to the salon stylist chair in order for the haircut and style.

16. The stylist said she would hold the salon stylist chair and Plaintiff Sauerbrei's phone while Plaintiff Sauerbrei transferred to the salon stylist chair from her wheelchair.

17. Plaintiff Sauerbrei stated she was not sure she could make the transfer, but at the insistence of the stylist began the transfer from her wheelchair.

18. As Plaintiff Sauerbrei transferred to the salon stylist chair, her arms gave way and she fell towards the floor, twisting her shoulders and her legs.

19. Plaintiff Sauerbrei caught herself before she hit the ground.

20. Neither the stylist nor the manager helped her as she hung between the wheelchair and salon stylist chair.

21. Plaintiff Sauerbrei lunged towards her wheelchair to get back in the chair.

22. As she lunged, she further twisted her body as she got back in the wheelchair.

23. Neither the stylist nor the manager helped Plaintiff Sauerbrei get back in the wheelchair.

24. After finally getting back in her wheelchair, Plaintiff Sauerbrei told the stylist she could not transfer to the salon stylist chair.

25. The stylist admitted she did not need Plaintiff Sauerbrei to transfer to the salon stylist chair and proceeded to cut and style Plaintiff Sauerbrei's hair while she sat in the wheelchair.

26. The stylist merely had to move the salon stylist chair out of the way and move the wheelchair in its place.

27. Plaintiff Sauerbrei started experiencing pain that evening and by the next morning the pain was excruciating from the fall.

28. Plaintiff Sauerbrei continued to experience pain from the fall and as a result of the continued different pain sought medical care and treatment.

COUNT I - NEGLIGENCE CLAIM AGAINST DEFENDANT SMART STYLE SALON

29. Plaintiff Sauerbrei re-states, re-alleges and re-avers paragraphs 1 – 28 for Count I of her Petition as if pled herein.

30. The salon stylist had a duty to safely cut and style Plaintiff Sauerbrei's hair in her wheelchair and should not have required Plaintiff Sauerbrei to transfer to a salon stylist chair.

31. The salon stylist had a duty to choose the safest manner to cut and style Plaintiff Sauerbrei's hair and this would include allowing Plaintiff Sauerbrei to remain in her wheelchair for the cut and style.

32. The salon stylist failed in that duty by demanding Plaintiff Sauerbrei to transfer to the salon stylist chair and allowing Plaintiff Sauerbrei to fall when she could not complete the transfer.

33. As a direct and proximate result of the salon stylist's failure, Plaintiff Sauerbrei was injured by her fall during the transfer resulting in pain and suffering in the past, current pain and suffering and pain and suffering in the future.

34. As a direct and proximate result of the salon stylist's failure, Plaintiff Sauerbrei was injured by her fall during the transfer resulting in medical bills for care and treatment in the

past, current medical bills for care and treatment and medical bills for care and treatment in the future.

35. Plaintiff Sauerbrei is entitled to judgment in her favor and against Defendant Salon.

WHEREFORE, PREMISES CONSIDERED, Plaintiff Lindsey Sauerbrei respectfully requests that this Court enter judgement in her favor and against Defendant Smart Style Salon for her damages claimed and for such other and further relief as this Court deems proper in the premises.

ALESHIRE ROBB, P.C.

By _____


Gregory W. Aleshire #38691

William R. Robb #43322

Kevin J. Rapp #57974

2847 Ingram Mill Road, A-102

Springfield, MO 65804

417.869.3737 PHONE

417.869.5678 FAX

ATTORNEYS FOR PLAINTIFF



IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Judge or Division: MICHAEL J CORDONNIER	Case Number: 2131-CC00033
Plaintiff/Petitioner: LINSEY SAUERBREI vs.	Plaintiff's/Petitioner's Attorney/Address WILLIAM R ROBB 2847 INGRAM MILL ROAD SUITE A-102 SPRINGFIELD, MO 65804
Defendant/Respondent: REGIS CORPORATION DBA: SMART STYLE HAIR SALONS	Court Address: JUDICIAL COURTS FACILITY 1010 N BOONVILLE AVE SPRINGFIELD, MO 65802
Nature of Suit: CC Pers Injury-Other	(Date File Stamp)

Summons in Civil Case

The State of Missouri to: REGIS CORPORATION

Alias:

DBA: SMART STYLE HAIR SALONS

R/A: RA NATIONAL REGISTERED

AGENTS INC

120 S CENTRAL AVE

CLAYTON, MO 63105

COURT SEAL OF



GREENE COUNTY

You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.

01/11/2021

Date

/s/ Thomas R. Barr by JJ

Clerk

Further Information:

Sheriff's or Server's Return

Note to serving officer: Summons should be returned to the court within 30 days after the date of issue.

I certify that I have served the above summons by: (check one)

delivering a copy of the summons and a copy of the petition to the defendant/respondent.
 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.

(for service on a corporation) delivering a copy of the summons and a copy of the complaint to: _____ (name) _____ (title).

other: _____.

Served at _____ (address)

in _____ (County/City of St. Louis), MO, on _____ (date) at _____ (time).

Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date).

(Seal)

My commission expires: _____

Date

Notary Public

Sheriff's Fees, if applicable

Summons \$ _____

Non Est \$ _____

Sheriff's Deputy Salary

Supplemental Surcharge \$ ____ 10.00 _____

Mileage \$ _____ (_____ miles @ \$._____ per mile)

Total \$ _____

A copy of the summons and a copy of the petition must be served on **each** defendant/respondent. For methods of service on all classes of suits, see Supreme Court Rule 54.



IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Ref#
S32/10
43322

Judge or Division: MICHAEL J CORDONNIER	Case Number: 2131-CC00033
Plaintiff/Petitioner: LINSEY SAUERBREI	Plaintiff's/Petitioner's Attorney/Address WILLIAM R ROBB 2847 INGRAM MILL ROAD SUITE A-102 SPRINGFIELD, MO 65804
vs. Defendant/Respondent: REGIS CORPORATION DBA: SMART STYLE HAIR SALONS	Court Address: JUDICIAL COURTS FACILITY 1010 N BOONVILLE AVE SPRINGFIELD, MO 65802
Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: **REGIS CORPORATION**

Alias:

DBA: SMART STYLE HAIR SALONS

R/A: RA NATIONAL REGISTERED
AGENTS INC
120 S CENTRAL AVE
CLAYTON, MO 63105



GREENE COUNTY

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01/11/2021

Date

/s/ Thomas R. Barr by JJ

Clerk

Further Information:

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 leaving a copy of the summons and a copy of the petition at the dwelling place or usual abode of the defendant/respondent with _____, a person of the defendant's/respondent's family over the age of 15 years who permanently resides with the defendant/respondent.
 (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: **LOW-E-B. LOVE** (name) _____ (title).
 other: **NATIONAL REGISTERED AGENTS, INC.** **INTAKE SPECIALIST**

Served at

in **St. Louis County**

(County/City of St. Louis, MO, on **JAN 2 2 2021** (date) at **9 AM** (time)).

Tom Deakn
Printed Name of Sheriff or Server

Signature of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

(Seal)

Subscribed and sworn to before me on _____ (date)

My commission expires: _____ Date _____

Notary Public

RECEIVED
T. L. CO. SHERIFF'S OFFICE
JAN 15 PM 12:14

*6/21
1/20/21*

JAN 19 2021



IN THE 31ST JUDICIAL CIRCUIT, GREENE COUNTY, MISSOURI

Ref#
S32/10
43322

Judge or Division: MICHAEL J CORDONNIER	Case Number: 2131-CC00033
Plaintiff/Petitioner: LINSEY SAUERBREI	Plaintiff's/Petitioner's Attorney/Address WILLIAM R ROBB 2847 INGRAM MILL ROAD SUITE A-102 SPRINGFIELD, MO 65804
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Nature of Suit: CC Pers Injury-Other	

(Date File Stamp)

Summons in Civil Case

The State of Missouri to: REGIS CORPORATION	
Alias: DBA: SMART STYLE HAIR SALONS	
R/A: RA NATIONAL REGISTERED AGENTS INC 120 S CENTRAL AVE CLAYTON, MO 63105 COURT SEAL OF  GREENE COUNTY	3 OCT COR
<p>You are summoned to appear before this court and to file your pleading to the petition, a copy of which is attached, and to serve a copy of your pleading upon the attorney for plaintiff/petitioner at the above address all within 30 days after receiving this summons, exclusive of the day of service. If you fail to file your pleading, judgment by default may be taken against you for the relief demanded in the petition.</p>	
01/11/2021 _____ /s/ Thomas R. Barr by JJ _____ Date Clerk	
Further Information:	

Sheriff's or Server's Return

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 (for service on a corporation) delivering a copy of the summons and a copy of the complaint to: **LOW-E. LOVE** (name) _____ (title).
 other: **NATIONAL REGISTERED AGENTS, INC.** **INTAKE SPECIALIST**

Served at _____ (address)
 in **St. Louis County** (County/City of St. Louis, MO, on **JAN 2 2 2021** (date) at **9 AM** (time).

(Seal)

Printed Name of Sheriff or Server

Must be sworn before a notary public if not served by an authorized officer:

Subscribed and sworn to before me on _____ (date)

My commission expires: _____

Date

Notary Public

JAN 19 2021

100

1/20/21